

United States Senate

COMMITTEE ON FINANCE

WASHINGTON, DC 20510-6200

November 28, 2007

Via Electronic Transmission

Daniel H. Mudd
President and Chief Executive Officer
Fannie Mae
3900 Wisconsin Avenue, NW
Washington, D.C. 20016-2892

Dear Mr. Mudd:

As a senior member of the Senate Judiciary Committee (Committee), which oversees our country's immigration and visa policies, including the H-1B visa program, it is my duty to conduct oversight into the actions of government sponsored or congressionally chartered companies and their immigration practices. In my ongoing oversight of the H-1B visa program, I have been particularly interested in learning more about the use of H-1B visas by entities such as yours.

As you well know, the H-1B visa program provides an avenue for U.S. employers to temporarily employ skilled foreign workers when the domestic workforce is unable to meet employer demands. However, this system is open to abuse and has raised concerns about whether American workers are being protected, and whether H-1B employers are skirting the law in order to hire cheaper foreign labor.

According to the U.S. Citizenship and Immigration Services (CIS), Fannie Mae is among the top 200 H-1B employers nationwide. During fiscal year 2006, CIS records indicate that Fannie Mae hired or otherwise employed 141 individuals through the H-1B visa program. In light of this information, I would like to get a better understanding of this issue from Fannie Mae's perspective. I appreciate your providing the following information. The applicable time-span for each of these questions is January 2002 to the present.

- 1) An annual listing of the number of H-1B visa workers employed by Fannie Mae, including both full and part time workers.
- 2) The job titles under which H-1B visa workers were employed, including the number of positions corresponding to each job title. This includes both full and part time workers.
- 3) A detailed description of the efforts that Fannie Mae makes, if any, to hire a domestic worker before seeking an H-1B worker. Include in your response documentation of each such attempt.

- 4) The expenses that Fannie Mae has incurred in the H-1B visa process, if any, including any expenses paid to outside counsel.
- 5) The number of layoffs or reductions in force, by year, by Fannie Mae since 2002 and any details related to the layoffs. Please include the titles of the job titles subject to the layoff, as well as any relevant documentation relating to the layoffs.

We look forward to your prompt response by no later than December 12, 2007. Should you have any questions regarding this letter, please contact Christopher Armstrong of my staff at (202) 224-4515. All documents responsive to this request should be sent electronically in PDF format to Brian_Downey@finance-rep.senate.gov.

Sincerely,



Charles E. Grassley
Ranking Member

Attachment

GENERAL INSTRUCTIONS

1. The terms “Fannie Mae” and “your company” mean its corporation, or one or more of its divisions, subsidiaries or affiliates, or related entities, including any other companies or corporations with which “Fannie Mae” entered into a partnership, joint venture or any other business agreement or arrangement.
2. In complying with this document request, produce all responsive documents that are in your possession, custody, or control, whether held by you or your past or present agents, employees, and representatives acting on your behalf. In addition, produce documents that you have a legal right to obtain, documents that you have a right to copy or have access to, and documents that you have placed in the temporary possession, custody, or control of any third party.
3. No documents, records, data or information requested by the Committee shall be destroyed, modified, removed or otherwise made inaccessible to the Committee.
4. If the document request cannot be complied with in full, it shall be complied with to the extent possible, which shall include an explanation of why full compliance is not possible.
5. In complying with this document request, respond to each enumerated request by repeating the enumerated request and identifying the responsive document(s).
6. In the event that a document is withheld on the basis of privilege, provide the following information concerning any such document: (a) the privilege asserted; (b) the type of document; (c) the general subject matter; (d) the date, author and addressee; and (e) the relationship of the author and addressee to each other.
7. Each document produced shall be produced in a form that renders the document susceptible of copying.
8. It shall not be a basis for refusal to produce documents that any other person or entity also possesses non-identical or identical copies of the same document.
9. If any document responsive to this request was, but no longer is, in your possession, custody, or control, identify the document (stating its date, author, subject and recipients) and explain the circumstances by which the document ceased to be in your possession, or control.
10. This request is continuing in nature. Any document, record, compilation of data or information, not produced because it has not been located or discovered by the return date, shall be produced immediately upon location or discovery subsequent thereto.
11. All documents shall be Bates stamped sequentially and produced sequentially.

GENERAL DEFINITIONS

1. The term “document” means any written, recorded, or graphic matter of any nature whatsoever, regardless of how recorded, and whether original or copy, including, but not limited to the following: memoranda, reports, statistical or analytical reports, books, manuals, instructions, financial reports, working papers, records notes, letters, notices, confirmations, telegrams, receipts, appraisals, pamphlets, magazines, newspapers, prospectuses, interoffice and intra office communications, electronic mail (E-mail), contracts, cables, notations of any type of conversation, telephone call, meeting or other communication, bulletins, printed matter, computer printouts, teletypes, invoices, transcripts, diaries, analyses, returns, summaries, minutes, bills, accounts, estimates, projections, comparisons, messages, correspondence, press releases, circulars, financial statements, reviews, opinions, offers, studies and investigations, questionnaires and surveys, and work sheets (and all drafts, preliminary versions, alterations, modifications, revisions, changes, and amendments of any of the foregoing, as well as any attachments or appendices thereto), and graphic or oral records or representations of any kind (including without limitation, photographs, charts, graphs, microfiche, microfilm, videotape, recordings and motion pictures), and electronic, mechanical, and electric records or representations of any kind (including, without limitation, tapes, cassettes, discs, and recordings) and other written, printed, typed, or other graphic or recorded matter of any kind or nature, however produced or reproduced, and whether preserved in writing, film, tape, disc, or videotape. A document bearing any notation not a part of the original text is to be considered a separate document. A draft or non-identical copy is a separate document within the meaning of this term.
2. The term “records” is to be construed in the broadest sense and shall mean any written or graphic material, however produced or reproduced, of any kind or description, consisting of the original and any non-identical copy (whether different from the original because of notes made on or attached to such copy or otherwise) and drafts and both sides thereof, whether printed or recorded electronically or magnetically or stored in any type of data bank, including, but not limited to, the following: correspondence, memoranda, records, summaries of personal conversations or interviews, minutes or records of meetings or conferences, opinions or reports of consultants, projections, statistical statements, drafts, contracts, agreements, purchase orders, invoices, confirmations, telegraphs, telexes, agendas, books, notes, pamphlets, periodicals, reports, studies, evaluations, opinions, logs, diaries, desk calendars, appointment books, tape recordings, video recordings, e-mails, voice mails, computer tapes, or other computer stored matter, magnetic tapes, microfilm, microfiche, punch cards, all other records kept by electronic, photographic, or mechanical means, charts, photographs, notebooks, drawings, plans, inter-office communications, intra-office and intra-departmental communications, transcripts, checks and canceled checks, bank statements, ledgers, books, records or statements of accounts, and papers and things similar to any of the foregoing, however denominated.

3. The terms “relate,” “related,” “relating,” or “regarding” as to any given subject means anything that discusses, concerns, reflects, constitutes, contains, embodies, identifies, deals with, or is any manner whatsoever pertinent to that subject, including but not limited to documents concerning the preparation of other documents.
4. The terms “and” and “or” shall be construed broadly and either conjunctively or disjunctively to bring within the scope of this document request any information which might otherwise be construed to be outside its scope. The singular includes plural number, and vice versa to bring within the scope of this document request any information which might otherwise be construed to be outside its scope. The masculine includes the feminine and neuter genders to bring within the scope of this document request any information that might otherwise be construed to be outside its scope.
5. The term “communication” means each manner or means of disclosure or exchange of information, regardless of means utilized, whether oral, written, electronic, by document or otherwise, and whether face to face, in a meeting, by telephone, mail, telexes, discussions, releases, personal delivery, or otherwise. Documents that typically reflect a “communication” include handwritten notes, telephone memoranda slips, daily appointment books and diaries, bills, checks, correspondence and memoranda, and includes all drafts of such documents.